

Attorney Docket No. 023070-086120US

## DECLARATION

As a below named inventor, I declare that:

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign applications(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

**Prior Foreign Application(s)**

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
			Yes <input type="checkbox"/> No <input type="checkbox"/>
			Yes <input type="checkbox"/> No <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

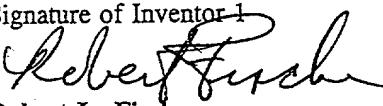
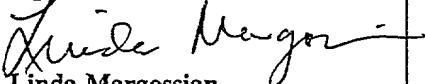
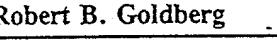
Application No.	Filing-Date

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status		
09/071,838	May 1, 1998	<input type="checkbox"/> Patented	<input checked="" type="checkbox"/> Pending	<input type="checkbox"/> Abandoned
		<input type="checkbox"/> Patented	<input type="checkbox"/> Pending	<input type="checkbox"/> Abandoned

Full Name of Inventor 1	Last Name Fischer	First Name Robert	Middle Name or Initial L.	
Residence & Citizenship	City El Cerrito	State/Foreign Country California	Country of Citizenship United States of America	
Post Office Address	Post Office Address 1423 Scott Street	City El Cerrito	State/Country California	Zip Code 94530
Full Name of Inventor 2	Last Name Ohad	First Name Nir	Middle Name or Initial	
Residence & Citizenship	City Jerusalem	State/Foreign Country Israel	Country of Citizenship Israel	
Post Office Address	Post Office Address 3 Bet-Hakerem Street	City Jerusalem	State/Country Israel	Zip Code 69343
Full Name of Inventor 3	Last Name Kiyosue	First Name Tomohiro	Middle Name or Initial	
Residence & Citizenship	City Okazaki	State/Foreign Country Japan	Country of Citizenship Japan	
Post Office Address	Post Office Address Tatsumi-minami 2-2-1-7-54	City Okazaki	State/Country Japan	Zip Code 444-0874
Full Name of Inventor 4	Last Name Yadegari	First Name Ramin	Middle Name or Initial	
Residence & Citizenship	City San Jose	State/Foreign Country California	Country of Citizenship Iran	
Post Office Address	Post Office Address 1278 Zeka Drive	City San Jose	State/Country California	Zip Code 95131
Full Name of Inventor 5	Last Name Margossian	First Name Linda	Middle Name or Initial	
Residence & Citizenship	City El Cerrito	State/Foreign Country California	Country of Citizenship United States of America	
Post Office Address	Post Office Address 7007 Gladys Avenue	City El Cerrito	State/Country California	Zip Code 94530
Full Name of Inventor 6	Last Name Harada	First Name John	Middle Name or Initial	
Residence & Citizenship	City Davis	State/Foreign Country California	Country of Citizenship United States of America	
Post Office Address	Post Office Address 115 Grande Avenue	City Davis	State/Country California	Zip Code 95616
Full Name of Inventor 7	Last Name Goldberg	First Name Robert	Middle Name or Initial B.	
Residence & Citizenship	City Topanga	State/Foreign Country California	Country of Citizenship United States of America	
Post Office Address	Post Office Address 21907 Canon Drive	City Topanga	State/Country California	Zip Code 90290

further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  Robert L. Fischer	Signature of Inventor 2 Nir Ohad	Signature of Inventor 3 Tomohiro Kiyosue
Date <del>Feb 3, 1999</del>	Date	Date
Signature of Inventor 4  Ramin Yadegari	Signature of Inventor 5  Linda Margossian	Signature of Inventor 6 John Harada
Date <del>Feb 4, 1999</del>	Date <del>Feb. 4, 1999</del>	Date
Signature of Inventor 7  Robert B. Goldberg		
Date		

P-7.WP 896

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ASSIGNMENT

U.C. Case No. 98-251-2

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. <u>Robert L. Fischer</u>	2. <u>Nir Ohad</u>
3. <u>Tomohiro Kiyosue</u>	4. <u>Ramin Yadegari</u>
5. <u>Linda Margossian</u>	6. <u>John Harada</u>
7. <u>Robert B. Goldberg</u>	

hereby sells, assigns and transfers to ASSIGNEE, The Regents of the University of California, a California Corporation, having its statewide administrative offices located 1111 Franklin St., 12<sup>th</sup> Floor, Oakland, CA 94607-5200, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in the invention entitled:

NUCLEIC ACIDS THAT CONTROL SEED AND FRUIT DEVELOPMENT IN PLANTS

and which is found in

(a)  U.S. provisional application filed herewith and listing the above-named persons as inventors  
(b)  U.S. patent application filed herewith and listing the above-named persons as inventors  
(c)  U.S. application serial no. 09/177,249, filed on October 22, 1998

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

Signature of Inventor(s)

     day of                   , 19      

1.                                   

7 day of February, 1999

2. Nir Ohad.

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U.C. Case No. 98-251-2

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. <u>Robert L. Fischer</u>	2. <u>Nir Ohad</u>
3. <u>Tomohiro Kiyosue</u>	4. <u>Ramin Yadegari</u>
5. <u>Linda Margossian</u>	6. <u>John Harada</u>
7. <u>Robert B. Goldberg</u>	

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## NUCLEIC ACIDS THAT CONTROL SEED AND FRUIT DEVELOPMENT IN PLANTS

and which is found in

(a) \_\_\_\_\_ U.S. provisional application filed herewith and listing the above-named persons as inventors  
(b) \_\_\_\_\_ U.S. patent application filed herewith and listing the above-named persons as inventors  
(c) x U.S. application serial no. 09/177,249, filed on October 22, 1998

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

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AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

**Signature of Inventor(s)**

3 day of February, 1999

\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

4 day of February, 191999

4 day of February, 1999

1. Robert L. Fisch

2. \_\_\_\_\_

3. \_\_\_\_\_

4. ✓

5. Frances Margo

\_\_\_\_ day of \_\_\_\_ 19\_\_\_\_  
4th day of February, 1999  
\_\_\_\_ day of \_\_\_\_ 19\_\_\_\_

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6. \_\_\_\_\_  
7. N. Goldberg 2/4/99  
\_\_\_\_\_

5 day of Feb 19 99

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\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_

SF 193976 v1

6. J. Harrel

7. \_\_\_\_\_

\_\_\_\_\_

## **ASSIGNMENT**

U.C. Case No. 98-251-2

For good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. <u>Robert L. Fischer</u>	2. <u>Nir Ohad</u>
3. <u>Tomohiro Kiyosue</u>	4. <u>Ramin Yadegari</u>
5. <u>Linda Margossian</u>	6. <u>John Harada</u> -
7. <u>Robert B. Goldberg</u>	

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## NUCLEIC ACIDS THAT CONTROL SEED AND FRUIT DEVELOPMENT IN PLANTS

and which is found in

Form 1661  
(a) \_\_\_\_\_ U.S. provisional application filed herewith and listing the above-named persons as inventors  
(b) \_\_\_\_\_ U.S. patent application filed herewith and listing the above-named persons as inventors  
(c)  U.S. application serial no. 09/177,249, filed on October 22, 1998

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AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

executed this

**Signature of Inventor(s)**

day of , 19

day of \_\_\_\_\_, 19\_\_\_\_

2. \_\_\_\_\_

9 day of February, 1999

3. Tomohiro Fukusue

\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

4. \_\_\_\_\_

\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

5. \_\_\_\_\_